



Atty. Docket: 020592

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Youichiro SUGINO et al.

Serial Number: 10/072,804

Group Art Unit: 2871

Filed: February 8, 2002

Examiner: CHOWDHURY, TARIFUR RASHID

For: POLARIZING PLATE AND LIQUID CRYSTAL DISPLAY USING THE SAME

**DECLARATION UNDER 37 CFR 1.131**

Honorable Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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SEP - 2 2003  
TECHNOLOGY CENTER 2800

Sir:

We, Youichirou SUGINO, Eiji HAMAMOTO, Seiichi KUSUMOTO, Hisashi MIHARA,  
Senri KONDOU, and Kazuki TSUCHIMOTO, all citizens of Japan, hereby declare and state:

1. Credentials

We are the named inventors in the above-identified application.

2. Purpose of this Declaration

A purpose of this Declaration is to show that the invention claimed in the present application was made before July 10, 2001, which is the filing date of U.S. patent application publication US 2002/0102369 A1 to Shimizu et al. (**Shimizu**), so that **Shimizu** is not prior art under 35 U.S.C. 102(a) or (e) in the present application.

3. Showing of Facts

The showing of facts made in the present Declaration is based on prior Japanese application No. 2000-238724 (**JP'724**), which was filed in the Japanese Patent Office on August 7, 2000 in the name of the inventors in the present application. A certified copy of **JP'724** and a

verified English translation (the **JP'724** translation) are attached to this Declaration. Priority of **JP'724** is not claimed under the Paris Convention in the present application because the present application was filed on February 8, 2002, which is more than one year after the filing date of **JP'724**.

The undersigned declare that they are the named inventors in the present application, and that they are familiar with the invention, **JP'724** and the present application.

Further, the undersigned declare that the invention claimed in the present application was made by the inventors before July 10, 2001. In support of this declaration, a copy of **JP'724** accompanied with a verified English translation is submitted with this Declaration, which shows that the inventors had conceived and reduced to practice the presently claimed invention before August 7, 2000.

Specifically, **JP'724** was filed in the name of the present inventors Youichirou SUGINO, Eiji HAMAMOTO, Seiichi KUSUMOTO, Hisashi MIHARA, Senri KONDOU, and Kazuki TSUCHIMOTO, as shown in the opening pages of the **JP'724** translation. The disclosure in **JP'724** is substantially identical to the disclosure in the present invention, as shown in the marked-up copy of **JP'724** showing the differences from the present application, which is submitted with this Declaration.

Thus, in the claims of **JP'724**, the present inventors described the subject matter of the present invention substantially as claimed in the original claims of the present application, respectively. Therefore, the specification of **JP'724**, and in particular the claims of **JP'724**, evidence that the present inventors were in possession of the present invention as claimed in the present application before August 7, 2000.

In addition, in the specification of **JP'724**, the present inventors reported experimental results substantially identically as the experimental results reported in the present specification. Therefore, the experimental results reported in **JP'724** evidence that the present inventors had reduced to practice the invention claimed in the present application before August 7, 2000.

#### 4. Conclusion

The disclosure in **JP'724** evidences that the inventors in the present application were in possession of the invention claimed in the present application before the effective date of **Shimizu**. As a result, **Shimizu** is not prior art as to the presently claimed invention.

The undersigned declare that all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date July 17 2003

Youichirou Sugino  
Youichirou SUGINO

Date July 17, 2003

Eiji HAMAMOTO  
Eiji HAMAMOTO

Date July 17, 2003

Seiichi KUSUMOTO  
Seiichi KUSUMOTO

Date July 17, 2003

Senri Kondou  
Hisashi MIHARA

Date July 17, 2003

Hisashi Mihara  
Senri KONDOU

Date July 17, 2003

Kazuki Tsuchimoto  
Kazuki TSUCHIMOTO

Attachments: Certified Copy of JP 2000-238724  
Verified English Translation of JP 2000-238724  
Marked-Up Copy of English Translation



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Sir:

I, Senri KONDOU, a citizen of Japan, hereby declare and state that my name changed from Senri YOSHIKAWA to Senri KONDOU due to marriage after the filing of Japanese application No. 2000-238724 and before the filing of the present US application.

The undersigned declare that all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: August 9, 2003

Senri Kondou

Senri KONDOU